

**BOARD OF COMMISSIONERS  
COUNTY OF YORK  
COMMONWEALTH OF PENNSYLVANIA**

**ORDINANCE NO. 2023-01**

**AN ORDINANCE FOR THE ABANDONMENT OF COUNTY BRIDGE #53, LOCATED  
IN LOWER WINDSOR TOWNSHIP, YORK COUNTY, PENNSYLVANIA**

**WHEREAS**, pursuant to the County Code, Act of August 9, 1995, P.S. 323, § 2601, 16 P.S. § 2601, as amended by Act of October 24, 2018, P.L., 931, No. 154, § 111, 16 P.S. § 2601, the County Commissioners of any county have the authority to provide for bridges, viaducts and culverts; and

**WHEREAS**, pursuant to the County Code, Act of August 9, 1995, P.S. 323, § 2634, 16 P.S. § 2634, as amended by Act of October 24, 2018, P.L., 931, No. 154, § 111, 16 P.S. § 2634, the County Commissioners of any county may close, vacate, abandon or remove any county bridge, including, but not limited to, any destroyed or partially destroyed bridge, which has, from any cause, become burdensome and is no longer necessary for the accommodation of public travel; and

**WHEREAS**, the County presently maintains a bridge, which spans a distributary channel of the Susquehanna River situated in Lower Windsor Township, York County, Pennsylvania, and known as Bridge No. 53; and

**WHEREAS**, County Bridge No. 53 is part of the Mason Dixon Trail, which is open to pedestrian trail users only; and

**WHEREAS**, County Bridge No. 53 has become burdensome to the County and is no longer necessary for the accommodation of motorized public travel; and

**WHEREAS**, the County Engineer, Herbert, Rowland & Grubic, Inc., has contacted the adjacent landowner on both sides of Bridge No. 53, Brookfield Renewable, Safe Harbor Water Power Corp., and has notified Lower Windsor Township advising that it is the intention of the County of York to abandon its interest in Bridge No. 53.

**WHEREAS**, the County of York has been in contact with the owner of the premises located on the south side of Bridge No. 53, Edward M. Aiken, IV, and Susan Aiken, who have indicated no objection to the vacation of the Bridge by the County of York and that further they have agreed to maintain the bridge for continued use of pedestrian travel for access to the Mason Dixon Trail;

**NOW THEREFORE**, with the above matters incorporated by reference herein, it is **HEREBY ORDAINED AND ENACTED**, by the Commissioners of the County of York, as follows:

1. The County of York hereby abandons Bridge No. 53 (as shown on the attached "Plan of Bridge No. 53" prepared by Herbert, Rowland & Grubic, Inc.) situate adjacent to a portion of Township Road #744, Fishing Creek Road, due to Bridge No. 53 needing significant repair, being inconvenient, burdensome and is no longer necessary for public travel.

2. This Ordinance shall become effective immediately upon adoption.

Duly enacted and ordained this 15th day of March, 2023, by the Board of Commissioners of York County, Pennsylvania in lawful session duly assembled.

**ATTEST:**

**COUNTY OF YORK**



Greg Monskie  
Chief Clerk



Julie Wheeler  
President Commissioner



Doug Hoke  
Vice President Commissioner



Ron Smith  
Commissioner

The above Ordinance was ordained, enacted, and adopted this 15th day of March, 2023, at a regular meeting of the Board of Commissioners of the County of York duly advertised and assembled upon motion of Commissioner Smith and seconded by Commissioner Hoke and passed with a vote of 3 yes and 0 no.